

In The United States District Court  
For The Middle District of Alabama  
Northern Division

James G. Huffman,  
Plaintiff

2006 SEP 28 A 9:28

V.  
Southern Health Services, et. al.,  
Defendants/Respondents

Case No: 2:06-CV-748-  
MEF (WO)

Motion For Leave To Amend  
Original Complaint and To  
Name Additional Defendants

Comes now your Plaintiff, James G. Huffman, pro se, in the above styled cause and would move the Honorable Court for an order for leave to amend his original complaint, and to name additional defendants and would support such request as follows:

1.) That your Plaintiff, James G. Huffman, pro se, has filed a 42 U.S.C. § 1983 action contending civil rights violations, constitutional violations and intentional inadequate medical treatment by the Defendants, and due to his pro se litigation Plaintiff would plead with the Honorable Court to hold his complaint to a less stringent standard than that of complaints drafted by Defendant's attorneys, and that he be allowed to amend his original complaint to add newly named Defendants, as well as to bring a more detailed cause of action against all previously named Defendants, along with newly named Defendants in order to tie in these Defendants conduct towards him in

his contention that such actions or inactions by all defendants do constitute a viable claim for liability, and would merit intervention of the Honorable Court in order to force Defendants to be made to dispense the proper medications for the treatment of his medical conditions due to their conduct endangering your Plaintiff's life, and such conduct does place his health in imminent danger, thereby he seeks relief by way of 42 U.S.C. § 1983 action.

2.) Your Plaintiff would contend that he is at a terrible disadvantage in naming any Defendants to be liable for any actions or conduct against him, because he has no idea which official, entity, organization, or agency will ultimately be immune from damages, therefore he is forced to a shotgun approach in order to find correct sources of liability to answer for the continued downward spiral, and declining condition of Plaintiff's medical condition, due to their refusal to administer the proper medications for the treatment of his health problems. therefore he has need to amend such complaint.

3.) Your Plaintiff would aver that the claims against Defendants are all related to the original complaint and are in fact simply a more detailed, and hopefully,

a clearer account of the original causation of Plaintiff's claims of his victimization by the Defendants refusal to give him the medications to correctly treat his medical conditions; specifically: his heart condition, his severe back problem, as well as his emotional problems and condition, and that he is in need of clarifying his claim, as well as naming additional Defendants by way of being allowed leave to amend his original claim and name additional defendants by the Honorable Court.

**Wherefore These Premises Considered,** your Petitioner would request that the Honorable Court issue an order for leave to proceed with ~~an~~ amending his original complaint as well as for leave to name additional defendants, as well as all other relief the Court deems available.  
For This We Forever Pray.

Respectfully Submitted,  
James G. Huffman  
Plaintiff  
136 North Court Street  
Prattville, Alabama 36067

**Certificate of Service**

I, James G. Huffman, do hereby certify that I have delivered a copy of the foregoing

Motion to the Clerk of the United States District Court for the Middle District of Alabama, the Northern Division by placing the same in the the United States mail properly addressed to the Clerk; i.e. Mrs Debra Hackett P.O. Box 711, Montgomery, Alabama 36101-0711 with proper postage prepaid, and affixed this the 15<sup>th</sup> day of September, 2006. ✓

My Certification of Service to Defendants

I have also served a copy of the same to defendants, <sup>(A)</sup> Sheriff Herbie Johnson, <sup>(B)</sup> Lieutenant Larry Nixon, <sup>(C)</sup> Doctor Nichols, all At 136 North Court Street Prattville, Al. 36067 as well as having served <sup>(D)</sup> Southern Health Partners Services at the same address by placing copies in the hands of Sergeant Bostick Col, requesting that he place the same in hand mail addressed to each Defendants inner office hand mail cubical located in the booking department of the Autauga County Jail this the 15 day of September, 2006

Placed in the United States mail this the 26<sup>th</sup> day of September, 2006

James G. Huffman

James G. Huffman  
Plaintiff  
136 North Court Street  
Prattville, Alabama  
36067



In The United States District Court  
For The Middle District of Alabama  
Northern Division

James G. Huffman,  
Plaintiff

SEP 28 A 9 28

V.  
Southern Health Partners Services, et.al,  
Defendants/Respondents

Case No. 2:06-  
748-MEF  
(Wo)

Motion To Amend Original  
Complaint and To Name  
Additional Defendants

Comes now your Plaintiff, James G. Huffman, pro se, and would move the Honorable Court to accept the foregoing amendments for his original complaint under 42 U.S.C. § 1983, as well as to accept the addition of new defendants named herein, and he would support such request with his belief that he has a cause of action against all of the newly named Defendants, as well as those previously named Defendants, and that he contends that the conduct of all defendants has been a violation of his rights.

1.) Your Plaintiff would further aver that such arbitrary and capricious actions by the Defendants [a liability] does constitute a comprehensible cause of action, and does create a liability for a claim against the Defendants and such is supported by the factors amended within the context of the instant complaint at bar.

2.) Your Plaintiff would amend his original complaint to include the following additional Defendants: ① Commissioner

3.) Your Plaintiff would contend that the Defendants of Southern Health Partners refusal to supply him the medications prescribed by his cardiologist for the prevention of hardening of the arteries, to prevent stroke or heart attack has resulted in his experiencing shortness of breath, severe chest pain, and has affected his blood pressure, and further resulted in Plaintiff's subsequent hospitalization due to severe chest pain, and heart attack, and caused Plaintiff to incur thousands of dollars in medical bills, and that due to his inability to pay these hospital charges that his credit has been damaged irrevocably and is irreconcilable.

4.) That the refusal of Southern Health Partners to prescribe him pain medication for his severe back pain due to their explanation that they don't allow narcotic pain medication to be prescribed or to be administered, has caused Plaintiff months of unbearable back pain, as well as severe stress on his heart condition and

has affected his emotional condition to the degree that he has been rendered unable to sleep due to unbearable pain caused by his back condition. Plaintiff contends he needs immediate relief.

- 5.) Your Petitioner would further contend that Southern Health Partners refusal to prescribe and administer the medication prescribed by his psychiatrist for treatment of his severe anxiety and severe bi-polar condition caused his health to deteriorate to the degree that hospitalization was required in order for correct medications to be administered to Plaintiff in order to stabilize your Petitioner.

6.) Petitioner also avers that Southern Health Partners representatives did state that their reason for not prescribing his Plavix 75 mg. prescribed by his cardiologist for the prevention of heart attack, stroke and hardening of the arteries, is due to the fact that it is too expensive, which bars Plaintiff from proper medical treatment due to monetary reasons rather than medical or clinical reasons, therefore causing Plaintiff's condition to decline further all in favor of saving their medical contractor corporation money without regards to Plaintiff's medical need for such medication in order to prevent life threatening medical problems.

7.) Your Plaintiff would aver that Southern Health Services treatment of Plaintiff is cruel and unusual as their intentional refusal to dispense the correct medication is so unfair and arbitrary as to shock the consciousness of any reasonable person.

8.) Your Plaintiff would contend that the conduct of this medical contractor is so unfair towards Plaintiff that such treatment is negligent, and constitutes reckless endangerment.

9.) Your Plaintiff would contend that Defendants in which he has previously identified, as well as the additional Defendants named herein, have been made aware of the medical contractors negligence, reckless endangerment, constitutional and civil rights violations (committed against his person) by way of correspondences, request slips for inmates, addressed to these Defendants named in original claim and those added herein, and requested to reprimand the Southern Health Services, as well as to demand that that they render the Plaintiff assistance in giving him the correct medications that are required for proper treatment of his medical conditions and their failure to do so does constitute liability due to their



refusal to step in and require that their medical contractor properly treat Plaintiff's medical conditions by prescribing the correct medication to Plaintiff. Their refusal to do so does create a liability issue, and does support a viable claim against each party herein [named].

10.) Your Plaintiff would aver that each listed Defendant does have protection by bonding agent or by way of mal-practice insurance, or liability insurance to which they are required to carry in the event they should be found liable for an action or inaction against another entity or person.

Wherefore These Premises Considered,  
Your Plaintiff would request that the amended complaint along with the additional Defendants named herein be joined to his original complaint by order of the Honorable Court.  
~~For this We Forever Pray.~~

Placed into the  
United States mail  
this the 26<sup>th</sup> day of  
September, 2006

Respectfully Submitted,  
James G. Huffman - Plaintiff  
136 North Court Street  
Prattville, Alabama  
36067

## Certificate of Service

I, James G. Huffman, do hereby certify that I have delivered a copy of the foregoing motion to the United States District Court for the Middle District of Alabama by placing the same in the United States mail properly addressed to the Clerk, Mrs. Debra Hackett, P.O. Box 711, Montgomery, Alabama 36101-0711 with proper postage prepaid and affixed this the 15 day of September, 2006. ✓

I also acknowledge delivery of the same to all Defendants by way of placing a copy of the foregoing motion into the hands of Sergeant Bestick of the Autauga County Metro and requesting that he place copies of the same in each Defendants mailbox at 136 North Court Street, Prattville, Alabama 36067 this the 15<sup>th</sup> day of September, 2006.

Placed into the  
United States mail  
this the 26<sup>th</sup> day of  
September, 2006

James G. Huffman

James G. Huffman  
Plaintiff  
136 North Court Street  
Prattville, Alabama  
36067